

Please add new Claims 23-25 as follows.

SubC17 23. In a wall structure that is contained in a building structure (subject to government regulations with respect to transverse wind loading), the improvement comprising said wall structure containing a first layer having a density of about 0.5-3 lb./ft.³ and a second, reinforcing layer selected from the group consisting of a polymer fabric, a biaxially oriented polymeric film and a fiberglass reinforced material directly bonded to the first layer.

a1 18 24. The wall structure of Claim 23, wherein a cellulosic layer is laminated to the second, reinforcing layer, an exterior layer is laminated to the cellulosic layer and an interior layer is laminated to the first layer.

19 25. The wall structure of Claim 24, wherein said second, reinforcing layer is a biaxially oriented polymeric film.

REMARKS

In order to expedite the prosecution of the present application, Claim 1 has been cancelled and replaced by newly presented Claim 23 which more particularly points out and distinctly claims the subject matter which Applicant regards as the invention. Newly presented Claims 24 and 25 further limit Claim 23. Support for the newly presented claims can be found on specification page 1, lines 4-15. No new matter has been added. Since the amendments to the claims place them in better form for consideration on appeal, entry thereof is deemed proper under 37 CFR 1.116(a). Favorable consideration is respectfully solicited.

Claim 1 has been rejected under 35 USC 102(b) as being anticipated by Wiegand. Claims 1-22 have been rejected under 35 USC 103(a) as being unpatentable over Hartman in view of Wiegand or Cyr et al. Applicant respectfully traverses these

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grounds of rejection and urges reconsideration in light of the following comments.

The currently presented claims are directed to a wall structure that is contained in a building structure subject to government regulations with respect to transverse wind loading. This wall structure contains a first layer having a density of from about 0.5-3 lb. per cubic foot and a second, reinforcing layer selected from the group consisting of a polymer fabric, a biaxially oriented polymer film and a fiberglass reinforced material directly bonded to the first layer.

The present invention allows the use of foam insulating materials without support from wood sheathing or other structural wall sheathing components in hurricane-prone geographic areas. At the present time, the use of energy-saving foam-insulating materials in these regions are not economically feasible because they must be supported with expensive structural materials that are capable of resisting hurricane force vacuums. As a result, builders are typically forced to eliminate the use of energy-saving foam panel insulating materials or must use alternative building methods in order to provide affordable construction. The present invention offers building owners, architects and builders an economically viable alternative that can improve energy efficiency and/or lower the cost of construction in hurricane-prone regions. It is respectfully submitted that the prior art cited by the Examiner does not disclose the presently claimed invention.

The Wiegand reference discloses a reinforced low-density thermal plastic foam sheet which can be used as a mattress insulator, mattress border, sleep pad, mailing envelope and a wide variety of other padding and cushioning applications where strength and resistance to stretch is necessary or desirable. As shown in Figure 1, the reinforced thermal plastic foam sheet of Wiegand is formed from a polyethylene foam 10, an oriented polypropylene net 14 and a polyethylene film 18. Clearly there is no disclosure in this reference

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which suggests that it would be suitable for use in a wall structure contained in a building structure subject to government regulations with respect to transverse wind loading.

The Hartman reference discloses an insulative panel which is formed from a rigid foam layer 12 of synthetic organic polymeric foam, a protective weathering layer 14 of a thermo-plastic sheet material and a generally flexible backer layer 16 of stereo-reticulate material interposed between the foam and weathering layers. The backer layer interposed between the foam layer 12 and the weathering layer 14 is a fibrous material, which may be woven or non-woven, with the fibers being of a reinforcing nature such as asbestos, fiberglass or aluminum. This reference has no disclosure of the reinforcing layer being a polymer fabric, a biaxially oriented polymeric film or a fiberglass reinforced material directly bonded to the foam layer. The Examiner states that Hartman differs from the claimed invention in that it is silent about the cellulosic layer yet it teaches a similar backer layer. However, as discussed above, in the Hartman reference the backer layer is provided between the foam layer and the weathering layer. In the present invention, the cellulosic layer is laminated to the reinforcing layer. Moreover, since the Wiegand reference is concerned with the production of a reinforced thermo-plastic foam sheet to be used in mattress insulators, mattress borders, sleep pads and mailing envelopes, it is respectfully submitted that one of ordinary skill in the art would not attempt to combine the Wiegand reference with Hartman since they are directed to non-analogous art.

The Cyr et al reference discloses a plastic laminate suitable for use as a graphic arts board. This laminate comprises two solid ABS resin sheets which are fusion bonded to a foam resin core containing polystyrene or a blend of polystyrene and ABS resin. Once again, the Examiner has found a reference that is completely non-analogous to the previously discussed references. While the Hartman reference is relevant

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to the present invention in that it is concerned with the production of a panel for insulating and protecting walls and roofs, the other prior art cited by the Examiner which are directed to a laminate suitable for use as a graphic arts board and a laminate which is used as a mattress pad clearly is non-analogous to the present invention and to the Hartman reference.

As discussed above, the present invention allows for the use of a light-weight foam layer in a wall structure in hurricane-prone geographic areas. This is shown in the example contained on pages 6-8 of the present specification. None of the art suggests that such properties would be associated with the presently claimed invention and, as such, it is respectfully submitted that the presently claimed invention clearly is unobvious in light of the cited prior art.

Reconsideration of the present application and the passing of it to issue is respectfully solicited.

Respectfully submitted,


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